



THE REPUBLIC OF LIBERIA
LIBERIA MARITIME AUTHORITY

22980 Indian Creek Drive
Suite 200
Dulles, Virginia 20166, USA
Tel: +1 703 790 3434
Fax: +1 703 790 5655
Email: prevention@liscr.com
Web: www.liscr.com

08 April 2020

Marine Advisory: 07/2020-2
Replaces Marine Advisory 07/2020

SUBJECT: Guidance to Assist with Impact of Coronavirus Disease 2019 (COVID-19) on Ship Operations

Dear Shipowners/Operators/Masters/Verifiers:

The purpose of this Marine Advisory is to update the guidance previously provided on 24 February 2020, in the form of Questions and Answers, to assist Shipowners, Operators, Masters and Recognized Organizations that may be experiencing difficulty in conducting operations, due to the COVID-19. These difficulties include restricted access to shipyards and ports for inspectors, auditors, surveyors and seafarers, which could result in delays in conducting statutory surveys, audits, inspections, crew changes, etc., to maintain validity of certificates and compliance with regulations.

Shipowners and Operators who are or may be experiencing difficulties should contact the Administration immediately for assistance when the Inspector, Auditor or Surveyor is unable to attend. The Designated Person Ashore or the Shipowner's/Operator's representative should contact the Fleet Performance Department by email: prevention@liscr.com with details of the difficulty encountered together with applicable supporting documents. Such documentation should include:

- 1 A copy of the Port Authorities statement that the vessel is quarantined and/or that no one is authorized to attend the ship; or
- 2 A copy of a statement or letter from the Inspector, Auditor and/or Surveyor stating that they are unable to attend the ship in the port where the inspection, audit or survey was to take place due to travel restrictions and our port restrictions; or
- 3 A copy of the statement or letter from the shipyard stating that they are unable to accommodate the vessel on the date previously agreed.

A. The Safety Management Certificate (SMC):

Revised Question 1: Will the Administration extend the internal initial shipboard ISM audit beyond 3 months (see 14.4.3 of the ISM Code)?

Answer: The Administration will authorize an extension for up to one month. The company should provide evidence the audit was planned to take place within three months, and they are not able to complete the audit due to the port restrictions created in response to the COVID-19. If needed, the Administration may extend, or authorize the RO to extend the Interim SMC a full 6 months (1 year from the date of issuance of the Interim SMC).

Revised Question 2: Can the internal annual ISM shipboard Audit be extended beyond the 15 months allowed by IMO Resolution MSC 273(85) as authorized in ISM-001?

Answer: The internal annual ISM Audit cannot be extended beyond 15 months. It is the responsibility on the company to ensure their internal audits are performed as near as possible in accordance with Part A/12 of the ISM Code and may include a methodology other than physical on-board audits, while ensuring that personnel carrying out audits are independent of the areas being audited.

Revised Question 3: Will the Administration extend the external initial ISM shipboard audit beyond the 6 months provided on the Interim SMC?

Answer: The requirement states the certificate is to be issued for a period of 6 months from the date of the interim audit, but 14.3 of the ISM Code authorizes an extension of the validity of an Interim SMC in special cases for a further period which should not exceed 6 months from the date of expiry of the initial interim certificate. If adequate justification with supporting documentation is provided, the Administration will extend the Interim SMC accordingly.

Revised Question 4: Can the external intermediate shipboard audit required by the ISM Code be extended by the Administration?

Answer: The Administration cannot provide an extension of the intermediate audit as the ISM Code provides a one-year window to conduct the Intermediate ISM Audit. See [Question 24](#) for guidance.

Revised Question 5: Will the Administration extend the date for the external shipboard renewal audit required by the ISM Code?

Answer: The requirement states the certificate is to be issued for a period of 5 years from the date of the initial audit. 13.14 of the ISM Code authorizes an extension of the validity of the SMC for a further period of three months if the vessel is not in a port where the audit can take place. If adequate justification with supporting documentation is provided, the Administration will issue an extended SMC, or authorize the RO to extend SMC.

Revised Question 6: Will the Administration extend the date for the external shipboard renewal audit required by the ISM Code beyond the three months provided by 13.14 of the ISM Code?

Answer: The Administration will permit the vessel to operate with the existing SMC or issue a SMC with limited validity, if adequate justification with supporting documentation is provided.

Revised Question 7: May the external annual or renewal audit of the Company be extended?

Answer: Upon providing to the Administration adequate justification with supporting documentation, the Administration will permit the RO to issue short term DOC valid for up to three months to the Company based on a remote audit conducted via teleconference and/or videoconferencing with the DPA, the other responsible persons in the company, using the audit plan covering all aspects as required and followed by a technical review. Contact regsandstandards@lisr.com for additional guidance.

B. The International Ship Security Certificate (ISSC):

Question 8: Will the Administration extend the internal initial ISPS audit beyond the requirements found in the ISPS Code?

Answer: 19.4.4 of the ISPS code states the internal audit must be planned to take place within 6 months. Provided the Administration can be shown the internal audit was planned to take place within 6 months, and the internal audit will be conducted in time to provide adequate documentation for the initial external audit, the Administration will authorize an extension up to one month before the initial audit is scheduled to take place. If requested an official letter may be provided.

Question 9: Can the internal annual ISPS Audit be extended beyond the 15 months allowed by IMO Resolution MSC 273 (85)?

Revised Answer: The internal audit cannot be extended further. See [Question 24](#) for guidance.

Question 10: Can the Interim ISSC be extended?

Answer: The Interim ISSC cannot be extended. However, if the Administration receives adequate justification with supporting documentation, the Administration will issue or authorize the RSO to issue a Subsequent, Consecutive, Interim ISSC, when the Shipowner/ Operator provides documentation showing compliance with the 19.4.2.4 to 19.4.2.6 of the ISPS Code. Contact audit@lisr.com for additional guidance.

Question 11: Can the external intermediate audit required by the ISPS Code be extended by the Administration?

Answer: The Administration cannot provide an extension of the Intermediate audit as the ISPS Code provides a one-year window to conduct the Intermediate ISPS Audit. See [Question 24](#) for guidance.

Question 12. Will the Administration extend the date for the external renewal audit required by the ISPS Code?

Answer: The requirement states the certificate is to be issued for a period of 5 years from the date of the initial audit, but 19.3.5 of the ISPS Code authorizes an extension of the validity of the ISSC for a further period of three months if the vessel is not in a port where the audit can take place. If adequate justification with supporting documentation is provided, the Administration will extend, or authorize the RSO to extend the ISSC accordingly.

Question 13: Will the Administration extend the date for the external renewal audit required by the ISPS Code beyond the three months provided by 19.3.5 of the ISPS Code?

Answer: The Administration will permit the vessel to operate with the existing ISSC or issue an ISSC with limited validity, if adequate justification with supporting documentation is provided.

C. The Maritime Labour Certificate (MLC):

Question 14: Can the Administration extend the external initial MLC 2006 inspection beyond the 6 months provided on the Interim MLC?

Answer: The Administration is unable to extend the interim MLC Certificate date as MLC does not provide for an extension. See [Question 24](#) for guidance.

Question 15: Can the external intermediate inspection required by MLC 2006 be extended by the Administration?

Answer: The Administration is unable to extend the intermediate MLC inspection date as MLC does not provide for an extension. See [Question 24](#) for guidance.

Question 16: Can the Administration extend the date for the renewal inspection required by MLC 2006?

Answer: The Administration is unable to extend the date of the renewal inspection required by MLC 2006. The requirement states the certificate is to be issued for a period of 5 years from the date of the MLC inspection for issuance of a full-term Certificate. See [Question 24](#) for guidance.

D. Other Statutory Surveys and Certificates:

Question 17: Will the Administration authorize the postponement of a vessels dry dock survey and Statutory Surveys including the IOPP renewal survey?

Answer: SOLAS Chapter I, Regulation 14(e) and MARPOL Annex I, Regulation 10.5 permits a Certificate to be extended by a maximum period of three (3) months if the ship is not in a port where the surveys are to be carried out. If it can be shown that a vessel was scheduled for the dry-docking survey and installation of a BWMS in a shipyard in due to the outbreak of the COVID-19, the shipyard is experiencing major delays on all projects, the Administration may extend the Dry-Dock Survey and related Statutory surveys including the IOPP renewal survey beyond the maximum three (3) months, if the vessel operator provides the Administration with the necessary documentation. Contact regsandstandards@lisr.com and the Recognized Organization for specific requirements.

Revised Question 18: Will the Administration accept a ship as a ship delivered before 1 July 2020 for the purpose of new SOLAS Regulation II-1/3-10 related to the IACS harmonized common structural rules (HCSR) under the goal based standards (GBS) as a result of difficulties faced by shipbuilders, equipment suppliers, shipowners, surveyors and service engineers in respect of the timely delivery of ships?

Revised Answer: The Administration will on a case by case basis give due consideration to the proposed unified interpretation of SOLAS regulation II-1/3-10 concerning the term 'Unforeseen delay in delivery of Ship' in [Circular Letter No.4204/Add.7](#) published by the IMO Secretariat on 3 April 2020 and accept the ship as being delivered before 1 July 2020. In order to consider this, the shipyard in agreement with the shipowner is required to provide:

1. Pages of shipbuilding contract indicating keel laid date and date fixed for delivery before 1 July 2020;
- Revised 2. Attestation from Shipyard that faced difficulties as a result of non-availability of shipyard workers, surveyors, service engineers and equipment supply; or attestation from shipowner/operator that they are facing difficulties in securing seafarers necessary for the delivery of the ship;
3. Statement from the ship's class society that the ship was designed to meet all international regulations that were applicable for the planned delivery prior 1 July 2020; and
4. Statement from the ship's class society that the ship is currently under survey for delivery after 1 July 2020 and that, except for SOLAS II-I/3-10, the ship is in compliance with all applicable international regulations.

E. Flag State Inspections:

Question 19: Will the Administration extend the flag State inspection for our vessel as it is currently calling on ports where the inspector or auditor cannot attend due to restrictions placed on vessels by port authorities due to the COVID-19?

Answer: If the flag inspector is unable to attend due to current restrictions imposed on the vessel due to the COVID-19, the Administration will extend the flag State inspection to the next port where the inspection can take place. The vessel operator is to contact the audit department at audit@liscr.com if the vessel is due for flag State inspection, and provide documentation in support of the request to postpone, with the ship's schedule, so the inspection may be conducted when and where possible.

Question 20: Will the Administration authorize the Permanent Certificate of Registry to be issued if the flag State inspection cannot be conducted before the expiration of the Provisional Certificate of Registry?

Answer: The Administration will not authorize the issuance of a Permanent Certificate of Registry, but if the inspection is scheduled as the next available port, the Administration will authorize an extension of the Provisional Certificate of Registry until the date of the scheduled inspection.

Contact: audit@liscr.com

F. Seafarers:

Question 21: Will the Administration permit agreements by seafarers to continue being engaged under their seafarers' employment agreements beyond a period of 11 months due to restrictions placed on vessels by port authorities due to the COVID-19

Answer: The Administration will authorize seafarers to continue being engaged under their seafarers' employment agreement beyond 11 months. See paragraph 3.5.4 of **Marine Notice MLC-003**, issued by the Administration. This allows a seafarer to postpone his/her annual leave and continue to be engaged beyond the 11 months, provided:

1. Both the seafarer and shipowner agree for seafarer to forego annual leave, if the period of engagement on board will exceed 11 months;
2. A proper risk assessment is carried out by the shipowner taking into account the ship's trading pattern, rest hours, and fatigue and other identified hazards.

The Administration will issue a letter to the shipowner agreeing to seafarers to be engaged under their seafarers' employment agreements beyond a period of 11 months, taking into account arrangements made by the shipowner to repatriate seafarers as soon as possible at the next available port.

Contact: regsandstandards@liscr.com if this authorization is needed.

Question 22: Will the Administration authorize a seafarer to continue service on board a ship when their Certificate of Competency (COC) issued by their national Administration has expired, and they are not permitted by the Port Authorities to depart due to the COVID-19?

Answer: This Administration primarily issues endorsements of National COC's and COP's. In the scenario above, the Country issuing the seafarer's national COC's, COP's and Medical Examination Certificates should be contacted and asked to issue an extension of the national certificates. When Liberia receives the extension request we will issue an endorsement in the form of a special CRA. It will be valid for 90 days unless limited to a lesser length of time by the

National Administrations extension. If after 90 days there needs to be a longer extension (and the National Administration has issued a longer extension) we will issue another special CRA.

If the National Government has not issued their extension length we may, on a case by case basis, issue a short-term special dispensation (in the form of a special CRA) allowing the seafarer to continue to sail in their present capacity until the vessel reaches the first port where he/she can be replaced and repatriated. Liberia cannot extend the validity of an endorsement if the issuing National Administration has not allowed an extension to their certificates.

Seafarers whose documents expire should have their National Documents, a copy of the National Administrations extension and Liberia's special CRA to show Port State Control Regimes. Contact dmuir@liscr.com; kcope@liscr.com and nbowley@liscr.com if the special CRA is needed, so these requests can be processed urgently.

Question 23: Will the Administration allow a vessel to sail without a Master, should the Master refuse to sail the vessel to a specific port or ports due to the COVID-19, and the ship manager cannot find a relief Master?

Answer: Where, in the opinion of the Administration, this does not cause danger to persons, property or the environment, the Administration may permit a vessel to sail without a Master for the shortest possible period. See Article VIII of the STCW convention.

Question 24: What if an extension of an audit or inspection cannot be granted?

Answer: The Administration may issue a letter authorizing the vessel to sail to the next available port where the audit, or inspection can take place. This authorization letter will be issued when requested if port restrictions issued in response to the COVID-19 create unexpected extenuating circumstances beyond the vessel operator's control. To receive the vessel specific authorization letter from the Administration, the Shipowner/Operator will need to provide adequate justification with supporting documentation.

Question 25: Has IMO provided guidance with regard to the COVID-19?

Answer: Yes, IMO has issued a number of circular letters and new letters are regularly being added and can be found at this website:

<http://www.imo.org/en/MediaCentre/HotTopics/Pages/Coronavirus.aspx>

If you have additional questions or concerns, please contact the Fleet Performance Department at prevention@liscr.com.

* * * * *